

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

<p>In re:  NationsRent, Inc., et al.,</p> <p style="text-align: center;">Debtors.</p>	<p>Case Nos. 01-11628 through 01-11639  (PJW)</p> <p>Jointly Administered  Chapter 11</p>
<p>NationsRent Unsecured Creditors'  Liquidating Trust, Perry Mandarino, not  personally, but as Trustee,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>EJ Reynolds, Inc.</p> <p>Cyrk Inc.</p> <p>Office Management Systems Inc.</p> <p>Saber Fleet Services, Inc. d/b/a Weiland  Tire Service</p> <p>Tacony Corporation</p> <p>Little Beaver, Inc.</p> <p>Diamant Boart Inc.</p> <p>Tsurumi (America) Inc.</p> <p>Harbor Graphics Corporation</p> <p>Multiquip Inc.</p> <p>Bobcat Company</p> <p>Nortrax Equipment Co. South LA</p> <p>Nortrax Equipment Co. SE, LLC</p> <p>Partner Industrial Products</p> <p>Rentlink Inc.</p> <p>Equipment Development Co., Inc.</p>	<p>District Court Case Nos. (KAJ):</p> <p>04-CV-722</p> <p>04-CV-734</p> <p>04-CV-742</p> <p>04-CV-753</p> <p>04-CV-808</p> <p>04-CV-997</p> <p>04-CV-1004</p> <p>04-CV-1005</p> <p>04-CV-1007</p> <p>04-CV-1025</p> <p>04-CV-1026</p> <p>04-CV-1044</p> <p>04-CV-1045</p> <p>04-CV-1047</p> <p>04-CV-1054</p> <p>04-CV-1128</p>

Fischer Group	04-CV-1141
Dossey Holdings, Inc.	04-CV-1155
L&P Financial Services	04-CV-1165
Jeff Falkanger & Associates	04-CV-1184
Morgan Guaranty Trust Company of New York	04-CV-1192
Defendants.	

### **ORDER**

At Wilmington this **15<sup>th</sup>** day of **November, 2005**.

On November 14, 2005, a teleconference was scheduled with Magistrate Judge Thyng for the purpose of discussing the ADR process to be instituted in the above-captioned matters. As a result of that teleconference,

IT IS ORDERED that another teleconference has been scheduled **for Monday, January 23, 2006 at 5:00 p.m. EST** with Magistrate Judge Thyng. That teleconference will be organized by plaintiff's counsel and the dial-in number is **877-214-0402** with the participation code as **637503**.

Prior to the teleconference in January 2006, an exchange of certain information is to occur consistent with Judge Jordan's prior order. For those defendants who have **not** done so previously, on or before **December 13, 2005**, they are to provide their defense arguments and settlement positions to plaintiff's counsel. This report, which may be in letter form, is to briefly advise of defendant's factual and legal defense positions on the case, provide documentation of the defenses and to provide its settlement position. Plaintiff is to provide its responses on or before **January 16, 2006**.

For those cases that have not resolved mediation will occur. Presently, the following dates are being held for mediation: **June 5, 7-9 and 12, 2006**. Further periodic teleconferences will be scheduled to discuss the exchange of information and the status of the parties' negotiations. Unless a matter has settled, **all counsel shall attend any future teleconferences. Counsel's attendance, along with the client, at mediation is required.** Plaintiff's counsel shall provide all counsel and unrepresented parties with a copy of this Order.

Local counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.

/s/ Mary Pat Thyng  
UNITED STATES MAGISTRATE JUDGE